

ORDINANCE NO. 2026-07-001

AN ORDINANCE TO PROVIDE FOR THE BOARD OF ALDERMEN'S PARKS COMMITTEE TO SERVE AS THE TREE BOARD BY AMENDING SECTIONS 31.150 OF THE CITY MUNICIPAL CODE.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF ELSBERRY, MISSOURI, AS FOLLOWS:

SECTION 1. The City of Elsberry Municipal Code shall be amended by deleting §§31.050 and 31.060; and replacing §§31.030; 31.040, 31.070 as follows:

“§31.030 PARKS COMMITTEE TO SERVE AS TREE BOARD.

There is hereby created and established a Tree Board for the City, which shall consist of the members of the Parks Committee of the Board of Aldermen as appointed by the Mayor. All terms of members of the Tree Board immediately prior to the adoption of this Ordinance shall expire upon the adoption of this Ordinance.

§31.040 TREE BOARD MEMBERS TO SERVE WITHOUT ADDITIONAL COMPENSATION.

Members of the Tree Board shall serve without compensation.

§31.050 RESERVED

§31.060 RESERVED.

§31.070 BOARD'S DUTIES AND AUTHORITY.

The Tree Board shall develop a management plan for the planting, care, cultivation, pruning and removal of trees, shrubs, and plants located on City-owned property. The plan may include provisions designating the species of trees, shrubs, and plants to be planted, preserved and removed or replaced. Such plan shall be presented to the Board of Alderman for approval and upon acceptance and approval by the Board of Aldermen, such plan shall constitute the official comprehensive tree, shrubs and plants plan for the City of Elsberry.”

SECTION 2. Severability.

The provisions of this Ordinance shall be severable. In the event that any provision of this Ordinance is found by a court of competent jurisdiction to be unconstitutional, the remaining provisions of this Ordinance are valid unless the Court finds the valid provisions of this ordinance are so essentially and inseparably connected with, and so dependent upon, the void provision that it cannot be presumed that the Board of Aldermen would have enacted the valid provisions without the void ones or unless the Court finds that the valid provisions, standing alone, are incomplete and incapable of being executed in accordance with the legislative intent.

SECTION 3: Effective Upon Passage

This ordinance shall be in full force and effect from and after the date of its passage.

SECTION 4: Incorporation into the Municipal Code

The City Clerk shall incorporate the terms of this Ordinance into the official City of Elsberry Municipal Code with all due dispatch.

Read two times and passed this _____ day of July, 2026.

MAYOR

Attest: _____
City Clerk

Approved as to form:

City Attorney